

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

NFINITECH SOLUTIONS, LLC,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-21-476-G
)	
RHA HEALTH, LLC, d/b/a RHA HEALTH GROUP,)	
)	
Defendant.)	

ORDER

Now before the Court is Plaintiff Nfinitech Solutions, LLC's Motion to Strike (Doc. No. 27). Defendant RHA Health, LLC d/b/a RHA Health Group has responded in opposition (Doc. No. 28).

Plaintiff initiated this lawsuit on May 11, 2021, asserting a cause of action against Defendant for breach of contract. *See* Compl. (Doc. No. 1). On June 21, 2021, Plaintiff moved for entry of default against Defendant pursuant to Federal Rule of Civil Procedure 55(a); on October 12, 2021, the Clerk of Court entered Defendant's default. *See* Doc. No. 5. On February 14, 2022, Defendant moved to set aside the entry of default. *See* Doc. No. 6. On the same day, Defendant filed an Answer without leave of the Court. *See* Doc. No. 8. Defendant later filed an Amended Answer and Counterclaims on March 7, 2022, again without leave of the Court. *See* Doc. No. 25.

Plaintiff now moves to strike Defendant's Answer, Amended Answer, and Counterclaim due to Defendant having previously defaulted in this matter. Plaintiff is correct that "the entry of default effectively ends the case against the party in default."

Brown v. Tennison, No. 19-cv-941, 2022 WL 124748, at *2 (D. Colo. Jan. 13, 2022). Concurrently with this Order, however, the Court has ordered that the Entry of Default be vacated and set aside pursuant to Federal Rule of Civil Procedure 55(c).

Accordingly, Plaintiff's Motion to Strike (Doc. No. 27) is GRANTED. Defendant's Answer (Doc. No. 8) and Amended Answer and Counterclaims (Doc. No. 25) are hereby STRICKEN.

Defendant may answer or otherwise respond to the Complaint within 14 days of the date of this Order.

IT IS SO ORDERED this 30th day of September, 2022.



CHARLES B. GOODWIN
United States District Judge